

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES HOLLOWAY,

Petitioner,

v.

STEVEN RIVARD,

Respondent.

Case No. 16-11059
Honorable Laurie J. Michelson
Magistrate Judge Anthony P. Patti

ORDER DENYING AS MOOT PETITIONER'S MOTION FOR CERTIFICATE OF APPEALABILITY [19]

After being convicted of assault with intent to murder, James Holloway is currently serving a lengthy sentence of incarceration in the custody of the Michigan Department of Corrections. Holloway's state court appeals were unsuccessful. And then he petitioned this Court for a writ of habeas corpus. (ECF No. 1.) He lost again. (ECF No. 16.)

In denying his petition, the Court also denied him a certificate of appealability. On March 22, 2019, the Court ruled that "because no reasonable jurist would debate the Courts' disposition of these claims, the Court will not issue a certificate of appealability." (ECF No. 16, PageID.803.) At the same time that he filed a notice of appeal, Holloway also asked the Court to grant him a certificate of appealability. (ECF No. 19.) But his motion offers nothing to change the Court's earlier decision. Having already denied Holloway a certificate of appealability, the Court DENIES AS MOOT Holloway's motion. (ECF No. 19.)

SO ORDERED.

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE

Date: May 2, 2019

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document was served on the attorneys and/or parties of record by electronic means or U.S. Mail on May 2, 2019.

s/William Barkholz
Case Manager to
Honorable Laurie J. Michelson